



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,496	11/03/2000	Niro Nakamichi	M2127-5	6612

7278 7590 11/04/2005

DARBY & DARBY P.C.
P. O. BOX 5257
NEW YORK, NY 10150-5257

EXAMINER

GRAHAM, ANDREW R

ART UNIT PAPER NUMBER

2644

DATE MAILED: 11/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/705,496

Applicant(s)

NAKAMICHI, NIRO

Examiner

Andrew Graham

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 9-27, 33-35 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 and 12-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-11, 27 and 33-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2644

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Species II with traverse in the reply received on 8/5/05 is acknowledged.

Claims 1-6 and 12-26 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 8/5/05.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9-11, 27, 33, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimatani (USPN 4999745) in view of Wright (USPN 3183463).

Shimatani discloses a power transformer mounting for an audiovisual amplifier device.

Specifically regarding Claim 9, Shimatani discloses:

An acoustic device (amplifier, col. 1, lines 9-14) comprising a housing (comprising main chassis 10 and bonnet 30);

Art Unit: 2644

a circuit element (21) mounted in said housing (10,30) (21 protrudes through 12 above chassis 10, is thus 'in' housing, col. 1, lines 52-57)

wherein said circuit element is a transformer (21) (col. 2, lines 48-51);

an attachment member (comprising chassis 20, coils 23, screws 24; col. 2, lines 37-56);

The illustration of Figure 1 suggests that an element, such as the transformer core and wire components, are mounted inside an external box or casing, collectively designated as circuit element "21". However, such external box or casing is not clearly denoted in the description, even though such a general construction of a circuit element is commonly known in the art.

Thus, for the purposes of clarity, the reference of Shimatani is not considered to clearly teach:

- a case on said circuit element;
- said attachment member attaching a bottom of said case to said housing

Wright discloses a low level sound electrical transformer.

Specifically regarding **Claim 9**, Wright in view of the teachings of Shimatani, at least suggests:

- a case on said circuit element (12, col. 2, lines 10-15);
- said attachment member attaching a bottom of said case to said housing (screws at bottom of 21, col. 48-51 in Shimatani in view of case 12 construction of Wright)

Art Unit: 2644

To one of ordinary skill in the art at the time the invention was made, it would have been obvious to apply the construction principles of the transformer of Wright to the transformer element (21) of Shimatani. The motivation behind such a modification would have been that such an amplifier construction would have been able to withstand high shock levels, as well as exhibit both low air-borne and structure-borne sound emission levels.

Regarding **Claim 10**, Wright particularly teaches:

- said transformer is a toroidal transformer (col. 2, lines 20-27 and 48-50).

Regarding **Claim 11**, Wright particularly teaches:

wherein said transformer (14) includes at least one winding (16) in said case (col. 2, lines 3-5);

a filler (20) in said case (12) (col. 1, line 70-col. 2, line 2);
said filler occupying an interior of said case about said at least one winding and securing and supporting said at least one winding in said case (col. 3, lines 17-35).

Regarding **Claim 27**, Shimatani particularly teaches:

the transformer (21) is attached to the acoustic device via an elastic member (23) to absorb vibration from the transformer (col. 2, lines 52-56) and

said elastic member (23) has an elasticity appropriate to a weight of the transformer (elasticity of suspension coils such that subchassis 20 with transformer 21 may rest on same plane as housing (10,30), Figure 2, col. 2, lines 62-68; allowing for such resting on

Art Unit: 2644

the same plane thus implies that the elasticity of coils 23 is 'appropriate' for such a function).

Regarding **Claim 33**, Shimatani particularly teaches:

a cover (19) covering a top of said case (of 21, per 12 of Wright) (Figures 1 and 2, col. 2, lines 48-51).

Regarding **Claim 35**, Shimatani particularly teaches:

wherein said attachment member includes a resilient element (23) for resiliently attaching said bottom of said case (21 per 12 of Wright) to said housing (10,30), whereby vibration from said transformer is isolated from a remainder of said acoustic device (col. 1, lines 35-48; col. 2, lines 52-56; col. 3, lines 34-44).

3. **Claim 34** is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimatani in view of Wright as applied above, and in further view of Worchester (USPN 3368150).

As detailed above, Shimatani discloses a transformer mounting system, wherein in the final construction, the transformer is covered with a shield case. Wright discloses a particular transformer construction for reducing air-borne and structure-borne sound transmission.

Shimatani also discloses other circuit elements, which reads on "at least one other circuit element" (col. 2, lines 30-32). The connection between the elements on chassis (20) and the elements on circuit board 14 is implicit, as the transformer (21) is the power transformer and implicitly supplies the operating voltage and current

Art Unit: 2644

for the rest of the system, including said elements on said circuit board (14).

However, Shimatani in view of the teachings of Wright do not clearly teach or suggest:

-- an opening disposed on said cover (case 19 of Shimatani) and through which at least one wire passes for interconnection of the circuit elements.

Worchester discloses a shield casing for transformers and other elements in an audio device.

Specifically regarding Claim 34, Worchester, in view of the teachings of Shimatani and Wright, at least suggests:

an opening (end of channel 21, Figure 1) disposed on said cover (21 in view of case 19 of Shimatani) and through which at least one wire (31) passes for interconnection of the circuit elements (col. 13-32)

To one of ordinary skill in the art at the time the invention was made, it would have been obvious to implement openings in the shield case of Shimatani in view of Wright, according the principles of the openings in the system of Worchester. The motivation behind such a modification would have been that such openings would have enabled the interconnection of signals and operating voltage from the components inside the shield case to be supplied to other components on the circuit board outside the shield, as is disclosed in the system of Worchester.

Art Unit: 2644

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Blyth (USPN 3134467) discloses a transformer mounting clip and assembly.

Lo (GB 2258953 A) also discloses a transformer shield comprising openings for electrical interconnection of the transformer to other elements.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Graham

Art Unit: 2644

whose telephone number is 571-272-7517. The examiner can normally be reached on Monday-Friday, 8:30 AM to 5:00 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AR

AG
October 31, 2005



VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600